



Serial No.: 10/738,938
Attorney Docket No.: 801204-0003

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Raul G. Barletta and Zhengyu Feng
Title : RECOMBINANT MYCOBACTERIA OVEREXPRESSING
D-ALANINE LIGASE GENE AND USES THEREFORE
Serial No. : 10/738,938
Filing Date: : December 17, 2003
Atty. Docket No.: : 801204-0003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above-identified application:

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked; and

NEW POWER OF ATTORNEY

Nancy T. Morris, Reg. No. 42,017; James H. Marsh, Jr., Reg. No. 24,533; J. David Wharton, Reg. No. 25,717; Penny R. Slicer, Reg. No. 34,017; Susan J. Wharton, Reg. No. 41,524; Judith L. Carlson, Reg. No. 41,904; Lana M. Knedlik, Reg. No. 42,748; Kelly S.K. Elsea, Reg. No. 43,604; Andrea F. Sellers, Reg. No. 44,102; Christopher D. Brandt, Reg. No. 44,556 and Mark C. Young, Reg. No. 48,670, at the Customer Number listed below, namely Stinson Morrison Hecker LLP, Attn: Patent Group, 1201 Walnut, Suite 2800, Kansas City, Missouri 64106-2150, telephone (816) 842-8600, are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Direct all correspondence to: ☒ **Customer Number 27910**

Direct all telephone calls to: **Nancy T. Morris, Telephone (402) 930-1759**
Facsimile (402) 930-1701

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: December 15, 2004
Signature: Lara Gurley
Printed Name: Lara Gurley

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

Assignment: U.S. Patent Application Serial No. 10/738,938 which assignment is

- ☒ Recorded in the Patent and Trademark Office on July 14, 2004, Reel 014856, Frame 0604.
- ☐ Recorded herewith.
- ☐ Filed for recordation in the Patent and Trademark Office on [Date]. The Notice of Recordation has not yet been received.

ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

Signed this 29 day of November, 2004.

**The Board of Regents of the University of
Nebraska**



By: Kannan S. Grant
Title: Associate Vice Chancellor,
Technology Development



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Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 3.73(b) –
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

The Board of Regents of the University of Nebraska, a nonprofit organization, states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ Assignment recorded from the inventors, of the patent application identified above. The assignment was recorded in the Patent & Trademark Office on July 14, 2004, Reel 014856, Frame 0604.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: December 15, 2004

Signature: [Signature]


Printed Name: Adra Gurley

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Signed this 29 day of November, 2004.

**The Board of Regents of the University of
Nebraska**

A handwritten signature in black ink, appearing to read 'Kannan S. Grant', written over a horizontal line.

By: Kannan S. Grant
Title: Associate Vice Chancellor,
Technology Development



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



JULY 16, 2004

PTAS

700099008A

STINSON MORRISON HECKER LLP
ANDREA F. SELLERS
1201 WALNUT, SUITE 2800
KANSAS CITY, MISSOURI 64106-2150

**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/14/2004

REEL/FRAME: 014856/0604
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BARLETTA, RAUL G.

DOC DATE: 03/15/2004

ASSIGNOR:

FENG, ZHENGYU

DOC DATE: 03/18/2004

ASSIGNEE:

BOARD OF REGENTS UNIVERSITY OF
NEBRASKA-LINCOLN
3835 HOLDREGE
VARNER HALL
LINCOLN, NEBRASKA 68583

SERIAL NUMBER: 10738938

FILING DATE: 12/17/2003

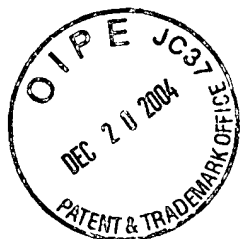
PATENT NUMBER:

ISSUE DATE:

TITLE: RECOMBINANT MYCOBACTERIA OVEREXPRESSING D-ALANINE LIGASE GENE AND
USES THEREFORE

JUL 26 2004

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



07/14/2004 +
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RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

(Rev. 10/02)

U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 6/30/2005)

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Raúl G. Barletta

Zhengyu Feng

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: March 15, 2004

2. Name and address of receiving party(ies):

Name: Board of Regents University of Nebraska-LincolnInternal Address: Varner HallStreet Address: 3835 HoldregeCity: Lincoln State: NE Zip: 68583Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/738,938

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Andrea F. SellersInternal Address: Stinson Morrison Hecker LLPStreet Address: 1201 Walnut, Suite 2800City: Kansas City State: Missouri Zip: 64106-2150

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41) \$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

19-4409

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Andrea F. Sellers, Reg. No. 44,102

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

5

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450, Alexandria, VA 22313-1450

ASSIGNMENT AGREEMENT

In consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Raúl G. Barletta, an individual having an address of 6623 Shenandoah Court, Lincoln, Nebraska 68510 and Zhengyu Feng, an individual having an address of 1632 West 6th Street, #C, Austin, Texas 78703 (hereinafter "Assignor(s)") hereby assign(s), transfer(s) and convey(s) to Board of Regents University of Nebraska-Lincoln, a University created and existing under and by virtue of the laws of the State of Nebraska, and having a principal place of business at 3835 Holdrege, Varner Hall, Lincoln, Nebraska 68583, its successors, legal representatives, and assigns (hereinafter "Assignee"), the Assignors' entire right, title and interest in and to the invention for a RECOMBINANT MYCOBACTERIA OVEREXPRESSING D-ALANINE LIGASE GENE AND USES THEREFORE; in and to the application filed on the 17th day of December 2003, in and to all patents to be issued pursuant to said application and any divisionals, continuations, continuations in part, extensions, renewals, and reissues thereof; and in and to all applications for patents or similar legal protection which may hereafter be filed for said invention in any country, all patents or similar legal protection which may be granted for said invention in any country and all extensions, renewals and reissues thereof or legal equivalent thereof.

Assignor(s) hereby authorize(s) and request(s) the Director of Patents and Trademarks of the United States, and any official of any other country whose duty it is to issue patents or similar legal protection on said applications, to issue patents or similar legal protection for said invention to Assignee, the same to be held by Assignee for its own use and benefit, to the full end of the term for which said patents or similar legal protection are or may be granted,

as fully and entirely as the same would have been held and enjoyed by Assignor(s) had this assignment not been made.

Assignor(s) hereby further agree(s), upon the request of Assignee, to execute any and all applications for non-provisionals, divisionals, continuations and/or continuations in part for said invention or improvements and any supplemental oath or declaration relating thereto, and any applications for the reissue or extension of any patent that may be granted upon said applications that Assignee may deem necessary or expedient. Assignor(s) further agree(s) that in the event any said application, or patent issued thereon, becomes involved in an interference, upon request of Assignee, Assignor(s) will cooperate to the best of its/their ability with Assignee in preparing the preliminary statement and giving and producing evidence in support thereof. Assignor(s) hereby agree(s) to perform, upon such request, any and all affirmative acts to obtain said patents or similar legal protection, and vest all rights therein in Assignee as fully and entirely as the same would have been held and enjoyed by Assignor(s) if this assignment had not been made.

Assignor(s) hereby covenant(s) and warrant(s) that as of the date hereof it/they is/are the true and lawful owner(s) of the entire, right, title and interest in said invention, applications, and patents which may issue pursuant thereto, that it/they has/have the full right and power to convey the same, that the same are free and clear of all liens, charges and encumbrances whatsoever, and that is/they has/have not executed and will not execute any agreement in conflict herewith.

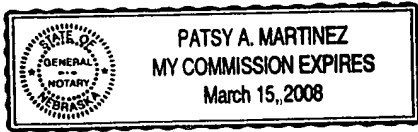
WITNESS my hand and seal this 15 day of March, 2004.

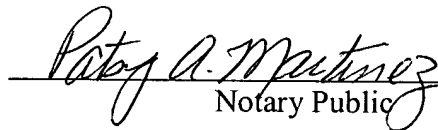

Raúl G. Barletta

ACKNOWLEDGMENT

STATE OF Nebraska)
) SS
COUNTY OF Lincoln)

On this 15th day of March, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Raul G. Barletta, to me known and known to me to be the person of that name who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.




Notary Public

(SEAL)

My Commission Expires:

March 15, 2008

WITNESS my hand and seal this 18th day of March, 2004.

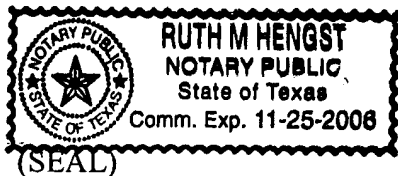


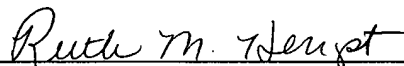
Zhengyu Feng

ACKNOWLEDGMENT

STATE OF Texas)
) SS
COUNTY OF TRAVIS)

On this 18 day of March, 2004, before me, a Notary Public in and for the State and County aforesaid, personally appeared Zhengyu Feng, to me known and known to me to be the person of that name who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.





Notary Public

My Commission Expires:

11-25-2006